



2-25-04

Corres. and Mail  
**BOX AF**

AF  
1616

**THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

EXPEDITED PROCEDURE  
MAIL STOP AF

Serial No. : 09/933,438  
Applicants : Yoshiharu MATAHIRA et al.  
Filed : August 20, 2001  
For : MUSCULAR FATIGUE-CONTROLLING  
COMPOSITION AND METHOD...  
Art Unit : 1616  
Examiner : Gollamudi  
Docket No. : 01503/HG  
Customer No.: 01933  
Confirmation No.: 6058

Express Mail Mailing Label  
No.: EV 366 566 032 US  
Date of Deposit: February 24, 2004  
I hereby certify that this paper is  
being deposited with the United States  
Postal Service "Express Mail Post Office  
to Addressee" service under 37 CFR 1.10  
with sufficient postage on the date  
indicated above and is addressed to the  
Commissioner for Patents,  
P.O. Box 1450  
Alexandria, VA 22313-1450

  
Dorothy DeFrancesco

In the event that this Paper is late  
filed, and the necessary petition for  
extension of time is not filed  
concurrently herewith, please consider  
this as a Petition for the requisite  
extension of time, and to the extent not  
tendered by check attached hereto,  
authorization to charge the extension  
fee, or any other fee required in  
connection with this Paper to Account  
No. 06-1378.

**SUBMISSION OF ORIGINALLY SIGNED  
DECLARATION UNDER 37 CFR 1.132**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**MAIL STOP AF**

S I R :

Please enter the enclosed originally executed DECLARATION  
UNDER 37 CFR 1.132 of Yoshiharu MATAHIRA dated February 16, 2004,  
and consider it in conjunction with applicants' AMENDMENT UNDER  
37 CFR 1.116 filed February 18, 2004. A copy of said MATAHIRA  
DECLARATION UNDER 37 CFR 1.132 was enclosed with said AMENDMENT  
UNDER 37 CFR 1.116 and was discussed therein.

MAR 01 2004

The enclosed originally signed MATAHIRA DECLARATION has blue highlighted and red highlighted values for the raw data for the swimming time and the lactic acid concentration.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Richard Barth", written over a horizontal line.

RICHARD S. BARTH  
REG. NO. 28,180

FRISHAUF, HOLTZ, GOODMAN & CHICK, P.C.  
767 THIRD AVENUE - 25TH FLOOR  
NEW YORK, NEW YORK 10017-2023  
Tel. Nos. (212) 319-4900  
(212) 319-4551/Ext. 219  
Fax No. (212) 319-5101  
E-Mail Address: BARTH@FHGC-LAW.COM  
RSB/ddf

Enc.: Executed DECLARATION UNDER 37 CFR 1.132 of  
Yoshiharu MATAHIRA dated February 16, 2004